

March 24, 2006

Jeff S. Jordan  
 Supervisory Attorney  
 Federal Elections Commission  
 Complaints Examination & Legal Administration  
 999 E Street NW  
 Washington, DC 20463

Re: MUR 5700 & 5707

Dear Mr. Jordan,

I am in possession of a letter written to you by the Commander of the DAV for the State of Florida, David Stone. In it he replies to certain allegations brought originally to your attention by Terry Richards. I suspect that Mr. Richards may have had contact with the state DAV before he started all of this. But Mr. Richards, as far as I know, is not a member of DAV, nor has he ever been to any of the events at Tropicana Field.

Mr. Stone was not commander back in 2002, 03, 04 and the beginning of 2005. During that time and currently continuing to run the DAV of Florida is Albert Linden, Executive Director. Mr. Linden is a full time paid employee of the DAV and has been so for about two decades.

Mr. Linden is well aware of the fund raisings done by his DAV members in the state of Florida, and was the recipient of some of the funds raised as well. Not only did Mr. Linden and others receive funds from the activities at the Tropicana Field, but demanded as well a 10% cut of the gross earnings.

Questions were asked by members of the six (6) DAV units who were out in the Florida Sunshine why they had to give 10% to the State Executive Director. Phone calls were placed to the DAV National Office to find an answer, but it took weeks as the only person in the country who could answer this question was busy. Contact was finally made in late 2004 with Mr. Robert Gushee, whose title rotates from National Counsel, to Adjutant to National Inspector. He stated quite clearly on the phone, "There was no such thing as any state getting a 10% portion of all incoming funds. It would be considered a fund raiser by the state, and every state fund raiser must be sent in advance in writing for approval and there is no such request by any state".

At several local meetings that Mr. Linden attended, he responded to the question a bit differently. He advised that the 10% also included "in kind" gifts. Mr. Linden gave an example that if someone donated a used lawnmower for the Chapter to use as grounds maintenance a value could be placed on it like \$50.00, leaving the Chapter owing the state DAV \$5.00. Of course items such as vehicles, wheelchairs, electronics or furniture would have higher values.

At DAV District meetings, the fund raisings were brought up and people were thanked for doing their part in raising the much needed funds for the activities they accomplish in their communities. At several State Conventions, not only was the fund raisings at Tropicana Field recognized and noted, but checks were written because of those funds as donations to the DAV State Projects, (Which no one has ever found out what they are.)

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At National DAV Conventions in New Orleans (2003) and Reno (2004) the topic of these fund raisings were discussed including how other districts and states could do like activities in their communities.

In the Spring of 2005, Mr. Carlos Rainwater comes to the Tampa Bay area to do an investigation into the Fund Raisings done and needed an accurate accounting so that Mr. Linden at the state level of the DAV could get their true 10%

I met with Mr. Rainwater at the Regional Office of the Veterans Administration for an hour and a half interview, which he asked permission for and recorded, but only if he promised that he would have a copy made for me. He so promised. He was told of the DAV units that participated at the Tropicana, along with units from the American Legion, Veterans of Foreign Wars, Vietnam Veterans of America, Paralyzed Veterans of America, Jewish War Veterans, Korean War Veterans Association and others.

He wanted me to tell him how much each unit received and on what days, in order to accurately assess the DAV units in the area for the state's 10%. I explained to him that I could give him dates and DAV units, but not the amount collected as I did not handle any of the funds, nor was I present when they collected or counted it. He asked why and the answer was simple, I was not a member of most of the organizations!

He wanted to know where the funds went, I told him that I have no input on any of the organizations of how they spend the funds. My sole involvement was to set up the scheduling so things do not become a cluster. I did tell him that I was aware of about \$1,000 that went to the state DAV hurricane fund in 2004 and only yards away from where we were sitting was a color copier purchased by one of the DAV units and given to the DAV office we were in. Before leaving I again reminded Mr. Rainwater that I wanted a copy of the tape. He said he would.

On three occasions over the next 8 months when I was again face to face with Mr. Rainwater, I requested my copy of the tape. On the fourth meeting he inquired; "What tape?" Mr. Rainwater had introduced himself as an attorney on several occasions to set the mood for his interviews. He did forget to mention that he was not allowed to practice in the State of Florida, maybe his intimidation innuendo was the only edge he needed?

The statement by Mr. Stone that DAV Chapter 9 was closed because of this fund raising, is so far from what could only be imagined as the truth... Or what the truth was according to the Executive Director Mr. Linden and State Inspector Mr. Rainwater who said Chapter 9 is not being shut down, it is being merged with DAV Chapter 13, which is of course what it said in the letters sent out by the DAV National Headquarters.

The State of Florida DAV Executives needed a scapegoat for all of this and charged a member of Chapter 9 with illegal fund raising. In the 5, 6 or 7 counts (It keeps changing from hearing to hearing) against Mr. Paul Branesky, one of the more serious charges was that of illegal fund raising during the Chapter 9 sanctioned Bingo games held weekly (Bingo was okayed by the state as they got their regular 10% of the income ) The crime. The DAV Chapter 9 owned and operated a Coca-Cola machine which was accessible by the public who were playing bingo Mr. Branesky was charged for this crime as he was one of the Chapter members who regularly refills the machine.

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In the Summer of 2005, Mr. Rainwater (again introducing himself as an attorney for the DAV as their State Inspector) along with Mr. Stone, went down to DAV Chapter 3 (Oldest Chapter in the State of Florida) in Sarasota, Florida and told them at one of their regular meeting, that the building they were in, (Tax roll assessed at almost half a million dollars, market value much higher) which had its mortgage paid off in 1982, was not safe with their current deed holding company. Most of the members of DAV Chapter 3 are World War Two Veterans and had thought that Mr. Rainwater and Mr. Stone were looking out for them... A few days later, the Deed for the property and building of the 80 year old Chapter 3, were signed over to (signatures on the quit claim deed, Rainwater and Stone) a holding company of the state executive committee of the DAV.

If DAV was true to their words, they would have closed down 6 units under their hierarchy in the Tampa Bay area, instead they reaped thousands of dollars of what they said was illegal funds, but never turned the funds down, or back to the units. They were told and know where the funds came from since 2002.

As far as their political agenda, which they say they take no part in... At the 2004 National Convention in Reno, Nevada, all of our guest speakers, (including the Vice President of the United States) were republican. Prior to entering the main room to here the political speeches, we went through the usual Secret Service security points and then through some DAV employees, who had people removing anything that said Kerry, or any other political item that was NOT republican. You could however wear a republican pin on your shirt or even have a sign which supports republicans.

The Veterans Party of America, never did any fund raising at Tropicana Field, nor were they involved in any of the activities with these fine local Veterans Organizations. The only connection that any Veteran has with the Veterans Party of America, is the fact that some are registered voters in that party. In addition, no one from any of these organizations has even suggested that the Veterans Party of America or the Veterans Post Newspaper took or received any funds whatsoever during these events. Only Mr. Richards believes it.

In closing, I realize that 99% of this letter has nothing to do with your office within the Federal Elections Commission, and as you have probably discovered by this point, The Veterans Party is a young political organization going through growing pains, with some people who will do anything to prevent its existence as it might interfere with what they think should be happening.

Thank you for your patience and time in dealing with this matter.

*Phillip Meskin*

Phillip Meskin  
National Chair  
Veterans Party of America

Cc: Anyone who will work to stop corruption in the DAV

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